

# **EXHIBIT D**

At IAS Part 39 of the Supreme Court of the State of New York, at the Courthouse, 60 Centre Street, New York, New York, on the 17th day of July, 2015

SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY

MOTION SEQUENCE # 001

	Index No.: 652403/2015
Asparagus Trading Corporation )	
Plaintiff, )	
- against - )	<b>ORDER TO SHOW CAUSE WITH TEMPORARY RESTRAINING ORDER</b>
Sarma Melngailis and )	
One Lucky Duck Holdings, LLC, )	
Defendants. )	

Upon the annexed Affidavit of Paul Funk, dated July 14, 2015, Affidavit of Natasha Gilbert, dated July 16, 2015, and Affirmation of Justin S. Stern, dated July 14, 2015, the Complaint dated July 7, 2015 and the Exhibits thereto, the Memorandum of Law in Support of Plaintiff's Application for a Temporary Restraining Order and Preliminary Injunction dated July 15, 2015, and all other proceedings herein, it is hereby:

ORDERED that Defendants show cause before this Court, before the Hon. Salann Scarpulla, at an IAS Part 39 thereof, Room 306, on the 9th day of September 2015, at 9:30 o'clock in the \_\_\_\_\_ noon of that day, or as soon thereafter as counsel can be heard, at the Courthouse located at 60 Centre Street, New York, New York, why the Court should not enter an Order providing the following relief:

1. Removing Defendant Sarma Melngailis ("Melngailis") and as manager, director, officer and/or any other title or position she holds with One Lucky Duck Holdings, LLC ("OLDH");
2. Enjoining Melngailis from participating in the day-to-day management of OLDH and its businesses and accounts; and
3. Replacing Melngailis with a representative and manager of OLDH of Plaintiff's choosing; and
4. Granting such other and further relief as the Court may deem just and proper; and it is further

THEREFORE, sufficient reason having been alleged therefor, pending the hearing and determination of this application, it is

ORDERED that: (i) Melngails is removed as manager, director, officer and/or any other title or position she holds with OLDH; (ii) Melngails is enjoined from participating in the day-to-day management of OLDH and its businesses and accounts during; and (iii) OLDH replace Melngailis with a representative and manager of OLDH of Plaintiff's choosing.

ORDERED that service of a copy of this Order to Show Cause, together with a copy of the papers upon which it is granted, shall be made on or before the 10/07/2015 day of July 2015, by ~~certified mail and regular mail to the address~~ email to Defendant Melngailis at sarmasarma@gmail.com and shall be deemed good and sufficient service thereof; and it is further

ORDERED that defendant's answering papers, if any, are required to be served upon and received by plaintiff's attorneys, Frigon Maher & Stern LLP at their offices located at

however plaintiff may not make any payments in any debt or perform any transaction outside the ordinary course of NIDH

1271 Avenue of the Americas, Suite 4300, New York, New York 10020, by hand delivery by no  
later than 5:00 p.m. on the 6<sup>th</sup> day of September 2015.

ENTER:

Saliann Scarpulla

J.S.C.

**HON. SALIANN SCARPULLA**

